

1 HEATHER E. WILLIAMS, SBN #122664  
Federal Defender  
2 HANNAH LABAREE, # 294338  
Assistant Federal Defender  
3 801 I Street, 3<sup>rd</sup> Floor  
Sacramento, CA 95814  
4 Tel: 916-498-5700/Fax 916-498-5710  
Attorneys for Defendant  
5 JUAN CARLOS MARTINEZ CASTRO

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA, ) Case No. 2:19-cr-233 DAD-1  
10 )  
Plaintiff, ) STIPULATION AND ORDER TO CONTINUE  
11 ) CHANGE OF PLEA HEARING, AND TO  
vs. ) EXCLUDE TIME  
12 )  
JUAN CARLOS MARTINEZ ) Date: April 18, 2023  
13 CASTRO, ET AL. ) Time: 9:30 a.m.  
Judge: Hon. Dale A. Drozd  
14 Defendant. )  
\_\_\_\_\_ )

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16 IT IS HEREBY STIPULATED by and between the parties hereto through their  
17 respective counsel, U.S. Attorney Phillip A. Talbert, through Assistant United States Attorney  
18 Justin Lee, attorney for Plaintiff, and Federal Defender Heather Williams, through Assistant  
19 Federal Defender Hannah Labaree, attorney for defendant Juan Carlos Martinez Castro, that the  
20 previously-scheduled change of plea hearing date of April 18, 2023, be vacated and the matter be  
21 further set for a change of plea hearing on May 30, 2023 at 9:30 a.m., at the defendant's request.

22 Counsel for Mr. Martinez Castro requires additional time to conduct investigation related  
23 to sentencing exposure and immigration consequences of a conviction, to consult with her client  
24 regarding the evidence and charges in this case, and to undertake other necessary preparations  
25 for trial in the instance the case does not resolve in a plea. For these reasons, Defense counsel  
26 believes that the failure to grant the above-requested continuance would deny her the reasonable  
27 time necessary for effective preparation, taking into account the exercise of due diligence.  
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1 Based upon the foregoing, the parties agree that time under the Speedy Trial Act should  
2 be excluded from this order's date through and including May 30, 2023, pursuant to 18 U.S.C.  
3 §3161 (h)(7)(A) and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code  
4 T4, based upon continuity of counsel and defense preparation.

5 Counsel and the defendants also agree that the ends of justice served by the Court  
6 granting this continuance outweigh the best interests of the public and the defendant in a speedy  
7 trial.

8 Respectfully submitted,

9 Dated: April 13, 2023

HEATHER E. WILLIAMS  
Federal Defender

10 /s/ Hannah Labaree  
11 HANNAH LABAREE  
12 Assistant Federal Defender  
13 Attorney for Defendant  
14 Juan Carlos Martinez Castro

15 Dated: April 13, 2023

PHILLIP A. TALBERT  
United States Attorney

16 /s/ Justin Lee  
17 JUSTIN LEE  
18 Assistant U.S. Attorney  
19 Attorney for Plaintiff  
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ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including May 30, 2023, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the April 18, 2023 status conference (anticipated change of plea hearing) is continued to May 30, 2023, at 9:30 a.m. However, no further continuances of this hearing date will be granted in this 2019 absent an overwhelming showing of good cause.

IT IS SO ORDERED.

Dated: April 13, 2023

  
UNITED STATES DISTRICT JUDGE